THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.24017 OF 2005

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Dt: 10.11. 2005

Between:

J.Papa Rao

.. Petitioner

AND

Govt. of Andhra Pradesh rep. by the

Principal Secretary to Government,

Health, Medical and Family Welfare Dept.,

L Block, Secretariat Buildings,

Hyderabad and others

.. Respondents

ORDER:

The daughter of the petitioner, by name, J.Haritha, was admitted into I year MBBS Course in the GSL Medical College, Lakshmipuram, Rajahmundry, during the academic year 2003-04, under the management quota. Disputes persisted between the petitioner and the management of the medical college as to the quantum of fee to be paid. While he contends that an amount of Rs.23,00,000/- has been paid in its entirety, the College insisted that a sum of Rs.1,00,000/- is still due towards tuition fee.

This writ petition is filed seeking a direction to the Government of Andhra Pradesh; the Chairman, Monitoring Committee-2nd respondent and the Registrar of NTR University of Health Sciences, Vijayawada, to take action against respondent No.4 'as per the directions of the Supreme Court of India in Islamic Academy of Education and another vs. state of Karnataka dated 14.08.2003'.

In the affidavit filed in support of the writ petition the petitioner asserted that the attitude of the respondents 1 to 3 is unresponsive and the inaction and silence on their part to the representation made by him amounts to 'mal administration'.

The petitioner, who argued the matter by himself, made extensive submissions. His main grievance is that the 4th respondent is collecting hostel fee for the entire year at a time, and that the same is contrary to law.

Learned standing counsel for the University has placed before this Court the Report, dated 24.03.2005, submitted by Dr.L.Seshadri Rao. A perusal of the same discloses that on receiving a representation from the petitioner, the Vice-Chancellor passed an order, dated 11.02.2005, constituting the one man committee. Thereafter, the enquiry officer addressed a letter, dated 05.03.2005, to the petitioner, and the petitioner, in turn, appeared before him on 09.03.2005. The relevant facts were ascertained. The enquiry officer obtained the explanation of the College. Apart from that, he examined the daughter of the petitioner also.

The petitioner does not dispute that he has been summoned by the enquiry officer and his grievance was not taken note of. None of these facts was referred to in the affidavit and the petitioner has alleged that the attitude of the respondents 1 to 3 was unresponsive and guilty of mal administration. During the course of hearing, it has also come to the light that the petitioner filed W.P.No.18118 of 2005, in relation to the payment of fee for his daughter. Neither in this Writ Petition, nor in the other, his daughter, who is a major, is a party.

The report submitted by the one man committee discloses that the daughter of the petitioner did not complain of any grievance or harassment. The petitioner, however, is perusing one proceeding after the other before this Court and at other places. The petitioner is no doubt the parent of a student. However, there does not exist any jural relationship between the petitioner and the respondents. The fact that the petitioner is paying tuition fee or other fee does not bring about any such relationship. At any

rate, the conduct of the petitioner in suppressing the facts and not referring to the factum of filing an earlier writ petition or conducting an enquiry by the University, disable him from invoking extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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L.NARASIMHA REDDY,J

Date:10.11.2005

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